

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MITCHELL CRAIG LITZ,

Petitioner,

v.

COMMONWEALTH OF

PENNSYLVANIA, et al,

Respondents.

Case No. 1:19-CV-01

MEMORANDUM ORDER

This petition for writ of habeas corpus was received by the Clerk of Court on January 2, 2019 and was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On May 13, 2019, Magistrate Judge Lanzillo issued a Report and Recommendation recommending that the petition for writ be dismissed with prejudice. ECF No. 38. Judge Lanzillo concluded that because the grounds raised in the petition are procedurally defaulted, the petition should be dismissed.

Petitioner filed Objections to the Report and Recommendation [ECF No. 40] and Supplemental Objections [ECF No. 49].

After *de novo* review of the petition for writ of habeas corpus and the filings in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 10th day of July 2020;

IT IS ORDERED that the petition for writ of habeas corpus is dismissed as the claims raised therein are procedurally defaulted.

AND, IT IS FURTHER ORDERED that the report and recommendation of Magistrate Judge Lanzillo, issued on May 13, 2019 [ECF No. 38] is adopted as the opinion of the court. The Clerk should be directed to close this case.

/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge